

including integral latching means for releasably latching selected pairs of adjacent walls, said housing having a hollow interior and at least one solid wall having a hole formed therein to permit carpenter bees to enter the hollow interior of the housing, said hole having about the same size as holes normally made by carpenter bees so that the hole tends to attract such bees, said housing containing no bait.

14. (Twice Amended) A method of trapping carpenter bees without the use of bait or insecticide comprising providing a housing having a hollow interior and at least one solid wall having an exposed hole formed therein to permit carpenter bees to enter the hollow interior of the housing, said hole having about the same size as holes normally made by carpenter bees so that the hole tends to attract such bees and said housing containing no bait, and periodically removing trapped bees from said hollow interior of said housing.

REMARKS

The original drawings were objected to because of questions concerning the reference numerals 10, 11 and 14. Proposed drawings amendments to overcome the objections were submitted with response to the last Office Action, and now new formal drawings incorporating those proposed amendments are submitted herewith.

Claims 1, 2, 4 and 5 were rejected under 35 U.S.C. 102(b) based on Ritchey U.S. Patent No. 5,493,997. Ritchey describes a bird house that would not be suitable for use as a carpenter bee trap. The only specific teaching by Ritchey with respect to the size of the hole is that a typical size range is "from one to six inches in diameter." This would be too large to satisfy the requirements of the present applicant's invention. Independent claims 1 and 14 in the present application both require a hole of "about the same size as holes normally made by carpenter bees," which applicant's specification teaches to be less than about 1/2 inch. Thus, the Ritchey patent fails to anticipate, under 35 U.S.C. 102(b), any of claims 1, 2, 4 and 5.

Claims 8, 11 and 12 were rejected under 35 U.S.C. 102(b) based on Rimback U.S. Patent No. 5,685,109. Rimback describes an insect trap that uses bait such as "a carbohydrate, typically a sweet fruit juice and/or a protein such as meat, raw fish, cat food, or hamburger." The patent specifically states that, "The bait should be replaced every day for greatest effectiveness. These claims all require a hole of "about the same size as holes normally made by carpenter bees," which applicant's specification teaches to be less than about 1/2 inch. Rimback's trap has two entrance holes 40 and 42, but he says nothing about